

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

**EDUARDO NAVARRETE-SANCHEZ
and, MARIEL MAVARRETE-FIMBRES,**

Defendants.

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Case No. 8:12CR125

ORDER

This matter is before the court on the motion of Jose De Jesus Macias-Valles, material witness, to Take Deposition In Lieu of Live Testimony and Release of Material Release (#87). After reviewing the brief in support of the Motion to Take Deposition (#87-1) and the government's Response (#96), I find the material witness' motion should be granted, and I order the government to take the deposition of the material witness on or before May 21, 2012, and that upon completion of the deposition, the material witness should be released. If the deposition is not taken on or before May 21, 2012 the material witness shall be released from custody as a material witness, on May 22, 2012, without further order of this court.

IT IS ORDERED:

1. The material witness' Motion to Take Deposition In Lieu of Live Testimony and Release of Material Witness (#87) is granted.

2. Said deposition shall occur on or before **May 21, 2012**, or the material witness shall be released from custody without further order of the court on **May 22, 2012**.

Dated this 3rd day of May 2012.

BY THE COURT:

S/ F.A. Gossett, III
United States Magistrate Judge